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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**

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8 VOLVO CONSTRUCTION  
9 EQUIPMENT RENTS, INC.,

10 Plaintiff,

11 v.

12 NRL RENTALS, LLC, et al.,

13 Defendants.  
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2:09-CV-32 JCM (VCF)

15 **ORDER**

16 Presently before the court is the defendants' emergency motion to vacate the pretrial order  
17 (doc. # 607) and emergency motion to withdraw as attorney (doc. # 611).

18 On August 28, 2012, the parties attended a mandatory settlement conference; however, no  
19 agreement could be reached. In the days following the settlement conference defendants informed  
20 their local counsel, McDonald Carano Wilson LLP, that they would be unable to pay their attorneys'  
21 fees during trial. Local counsel filed the instant motions on September 3, 2012. This case is  
22 presently set for trial on September 10, 2012.

23 Nevada Rule of Professional Conduct 1.16 and Nevada Supreme Court Rule 46 permit,  
24 among other things, an attorney to withdraw from representing a client for good cause. The failure  
25 of a client to pay attorneys' fees establishes good cause. Local counsel is permitted to withdraw in  
26 this case.

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1 The Law Offices of Raymund C. King represent defendants and filed a declaration in support  
2 of the emergency motion to withdraw as local counsel. (Doc. # 609). Therefore, defendants have  
3 fourteen days to find new local counsel in accordance with local rule 10-6.

4 Finally, the trial date set for September 10, 2012 is vacated. The parties may agree to a new  
5 trial date at the calendar call set for September 5, 2012. Alternatively, if the parties agree to a new  
6 trial date prior to the calendar call then the parties may file a stipulation with the court.

7 Good cause appearing,

8 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that defendants' emergency  
9 motion to vacate the pretrial order (doc. # 607) be, and the same hereby is, GRANTED.

10 IT IS FURTHER ORDERED that defendants' emergency motion to withdraw as local  
11 counsel (doc. # 611) be, and the same hereby is, GRANTED.

12 DATED September 4, 2012.

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16 UNITED STATES DISTRICT JUDGE  
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